

APPEAL NO. 031473  
FILED JULY 22, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was begun on March 3, 2003, but was continued to and concluded on May 2, 2003. The hearing officer determined that: (1) the appellant's (claimant) \_\_\_\_\_, compensable injury does not include an injury to the cervical spine diagnosed as a herniated disc at C6-7 and uncinate hypertrophy at C4-5 and C5-6; and (2) the claimant reached maximum medical improvement (MMI) for the compensable right shoulder injury on March 12, 2003. The claimant appealed and the respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

We have reviewed the complained-of determinations regarding extent of injury and MMI. The hearing officer reviewed the record and decided what facts were established. The hearing officer determined that the claimant failed to establish that his \_\_\_\_\_, compensable right shoulder injury includes the complained-of injuries to his cervical spine. The hearing officer further determined that the designated doctor's report stating that the claimant has not yet reached MMI is against the great weight of the other medical evidence. The hearing officer adopted the certification from the carrier-selected required medical examination doctor which states that, based solely on the right shoulder injury, the claimant reached MMI on March 12, 2003. The hearing officer specifically explained why he rejected the designated doctor's opinion regarding MMI. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **MARYLAND CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**GARY SUDOL  
9330 LBJ FREEWAY, SUITE 1200  
DALLAS, TEXAS 75243.**

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Michael B. McShane  
Appeals Panel  
Manager/Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Robert W. Potts  
Appeals Judge